


IT IS SO ORDERED.

Dated: 24 September, 2018 12:37 PM

A handwritten signature in black ink that reads "Jessica E. Price Smith". The signature is written in a cursive, flowing style. Behind the signature is a faint, circular seal of the United States Bankruptcy Court for the Northern District of Ohio, Eastern Division.

JESSICA E. PRICE SMITH  
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In re:	Richard Tolton	) Case No. 16-14264
	XXX-XX-2469	) Chapter 13 Proceedings
		) Judge Jessica E. Price Smith
		)
	Debtor	)

**ORDER DISMISSING CASE AND RELEASING  
INCOME OF DEBTOR FROM THE JURISDICTION OF THE COURT**

This case came on for consideration by the Court upon the Trustee's Motion to Dismiss Case for Failure to Fund that was filed on July 25, 2018. Any objections or responses filed have been withdrawn or overruled. The case is hereby dismissed due to the material default in the funding of the Plan by the Debtor.

The Debtor and/or the Debtor's employer, as well as the future income of the Debtor, is hereby released from the supervision and control of the Court, as well as any order of the Court requiring payments to the Trustee in this case.

The Trustee is authorized to pay to the Bankruptcy Court an amount equal to the amount of any unpaid filing fees. Any payment made to the Bankruptcy Court for unpaid filing fees shall be paid from funds received either from or on behalf of the Debtor prior to the dismissal of this case and, in order to comply with Bankruptcy Rule 1006(b)(3) and any relevant statute(s), said distribution may be made before (and possibly to the detriment of) any other authorized but unpaid distributions and/or refunds. The Trustee is also authorized to retain the administrative fee on funds received.

Submitted by:

/s/ Lauren A. Helbling

LAUREN A. HELBLING (#0038934)

Chapter 13 Trustee

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**SERVICE LIST**

Lauren A. Helbling, Chapter 13 Trustee

(served via ECF)

Office of the U.S. Trustee

(served via ECF)

All creditors and parties of interest

(served via ECF)

Melissa L Resar, Attorney for Debtor

(served via ECF)

Richard Tolton, Debtor

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Euclid OH 44117

Apex Systems, Employer

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